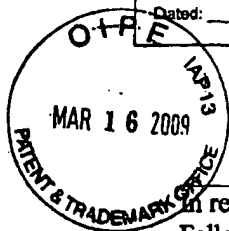


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-2885, on the date shown below.

Dated: 3/16/09Signature: Andrea Borden

Andrea Borden

Docket No.: BURF-P02-006  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Fallon et al.

Application No.: 10/081,736

Confirmation No.: 2816

Filed: February 20, 2002

Art Unit: 1649

For: BIGLYCAN AND RELATED  
THERAPEUTICS AND METHODS OF USE

Examiner: O. N. Chernyshev

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT**  
**UNDER 37 CFR 1.705(b)**

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.705(b), Applicants hereby request reconsideration of the patent term adjustment indicated in the Notice of Allowance for the above referenced application. At allowance, the patent was granted a 48 day patent term adjustment. However, as outlined below, Applicants believe that this calculation included errors that deprive Applicants of days of patent term adjustment. Upon review, Applicants believe that the correct patent term adjustment is 249 days at allowance and Applicants respectfully request review and reconsideration.

The following is a summary of the relevant patent term adjustment events as of the date of allowance:

The application was filed on February 20, 2002. However, a first office action was not mailed until May 20, 2004 (PTO delay of 396 days). 37 CFR §1.703(a)(1).

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Application No. 10/081,736

Docket No.: BURF-P02-006

**CONCLUSION**

Applicants believe that no additional fee is due with this response, other than the petition fee set forth in 37 CFR 1.18(e) and provided for on the accompanying fee transmittal. However, if any additional fee is due, please charge our Deposit Account No. 18-1945, under Order No. BURF-P02-006 from which the undersigned is authorized to draw.

Dated: 3/16/2009

Respectfully submitted,

By   
Hannah Rhys Koyfman, Ph.D.

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